

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4321 of 2020

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Bhogendra Nath Jha Son of Late Tara Kant Jha, Resident of Village-Awari,
P.S. Sahaghat, District-Madhubani, also at resident of Flat No. 3-B,
Chandarful Apartment, Gali No.1, Salimpur, Ahra, Patna-3.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Cooperative Department,
Govt. of Bihar, Patna.
2. The Principal Secretary, Cooperative Department, Govt. of Bihar, Patna.
3. The Deputy Secretary, Cooperative Department Government of Bihar, Patna.
4. The Accountant General, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Jha
For the Respondent/s : Mr.Sushil Kumar (Gp22)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 24-06-2020 Heard learned counsel for the parties.

Petitioner retired from the post of the Joint Registrar,
Cooperative Societies on 31.1.2017.

The grievance of the petitioner in the present writ
application is non payment of leave encashment and
withholding 10 per cent pension and gratuity.

Learned counsel appearing on behalf the State
submits that petitioner has been inflicted punishment of
reduction of four lower stage in time scale of pay and he did not
earn increments in the pay during such reduction.

Considering the aforesaid, the writ petition is
disposed of with a direction to the respondents to take



appropriate steps with regard to payment of leave encashment within a period of four months from the date of receipt/production of a copy of this order. Since there is no decision to forfeit pension, the respondents have to ensure payment of balance 10% of pension and gratuity within four months, failing which the petitioner shall be entitled to payment of interest @ 10 per cent from the date of retirement till the date of actual payment as except Bihar Pension Rules forfeiture of pension is without jurisdiction.

(Anil Kumar Upadhyay, J)

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